

# **UNITED STATES DISTRICT COURT**

## **FOR THE DISTRICT OF RHODE ISLAND**

**STATE OF NEW YORK, et al.,**

**Plaintiffs,**

**v.**

**DONALD J. TRUMP, et al.,**

**Defendants.**

**Case No. 1:25-cv-00039**

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### **MOTION FOR LEAVE TO FILE AMICUS CURIAE BRIEF**

**OF THE VR SCHOOL, INTERVENOR TO GOVERNORS**

**IN SUPPORT OF DEFENDANTS**

The VR School (“Proposed Amicus”), by and through its undersigned representative, respectfully moves this Court for leave to file the attached Amicus Curiae Brief in support of Defendants in the above-captioned matter. In support of this Motion, Proposed Amicus states:

**1. Interest of Amicus Curiae:**

- The VR School is an entity that has direct knowledge and experience regarding federal and state education funding, including Emergency Assistance to Nonpublic Schools (“EANS”) funding. Its perspective is

informed by interactions with state and federal agencies that administer these funds.

- The VR School has a significant interest in ensuring that federal education funds are administered consistently with constitutional and statutory requirements.
2. Why the Amicus Brief is Desirable and Why the Matters Asserted Are Relevant to the Disposition of the Case:
- The VR School's brief provides detailed discussion of how state education agencies, such as the California Department of Education, have exercised discretion to pause or withhold federal education funds. This discussion directly supports and illuminates Defendants' argument that the President's temporary pause or review of federal education funding is not unconstitutional or otherwise unlawful.
  - The brief contains legal and policy arguments addressing the scope of executive authority, federalism concerns, and the separation of powers—issues pertinent to the Court's resolution of the case.
3. Position of the Parties (if known or applicable): None
4. No Delay or Prejudice:
- Filing this brief will not unduly delay the proceedings. It is submitted in accordance with the existing schedule (or before the Court's deadline, if one is established).
  - No party will be prejudiced by the Court's consideration of the arguments contained in the brief.

Accordingly, the VR School respectfully requests that the Court grant this Motion for Leave to File Amicus Curiae Brief. A copy of the Proposed Brief is attached.

Dated: January 29, 2025

Respectfully submitted,

/s/ Freedom Cheteni, PhD

THE VR SCHOOL, INTERVENOR TO GOVERNORS

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### **CERTIFICATE OF SERVICE**

I hereby certify that on this 29th day of January, 2025, a true and correct copy of the foregoing Amicus Curiae Brief was served upon all counsel of record via the Court's electronic filing system.

**Respectfully submitted,**

THE VR SCHOOL, INTERVENOR TO GOVERNORS

Dated: January 29, 2025

*“Thus, let it be known,” Justice Scalia would conclude, “that our Government’s powers serve the People’s ends. Where clarity, fidelity, and prudence intersect, the law so stands.”*